

**WSR 23-19-057**  
**EMERGENCY RULES**  
**DEPARTMENT OF**  
**FISH AND WILDLIFE**

[Order 23-205—Filed September 15, 2023, 12:12 p.m., effective September 17, 2023]

Effective Date of Rule: September 17, 2023.

Purpose: The purpose of this emergency rule is to open commercial purse seine and gillnet fisheries in Puget Sound Salmon Management and Catch Reporting Area 7C.

Citation of Rules Affected by this Order: Amending WAC 220-354-120 and 220-354-160.

Statutory Authority for Adoption: RCW 77.04.012, 77.04.020, 77.12.045, and 77.12.047.

Under RCW 34.05.350 the agency for good cause finds that immediate adoption, amendment, or repeal of a rule is necessary for the preservation of the public health, safety, or general welfare, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest.

Reasons for this Finding: This emergency rule is needed to schedule openings for commercial purse seine and gillnet fisheries in Puget Sound Management and Catch Reporting Area 7C. Recent data and observations indicate Chinook are returning above forecasted expectation to Samish Hatchery. The Washington department of fish and wildlife salmon managers and comanagers agree that current Chinook returns present a harvestable surplus, sufficient for this opportunity. There is insufficient time to adopt permanent rules.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at the Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 2, Amended 0, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 0.

Date Adopted: September 15, 2023.

Kelly Susewind  
Director

NEW SECTION

**WAC 220-354-12000B Puget Sound salmon—Purse seine—Open periods.** Effective September 18 through September 22, 2023, the following provisions of WAC 220-354-120 regarding commercial purse seine open periods in Puget Sound Salmon Management and Catch Reporting Area 7C shall be as follows. All other provisions of WAC 220-354-120 not contained herein remain in effect unless otherwise altered by emergency rule:

Area(s)	Date(s)	Open/Closed	Daily open period
7C	9/18, 9/20, 9/22	Open	7 a.m. - 7 p.m.

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NEW SECTION

**WAC 220-354-16000L Puget Sound salmon—Gillnet—Open periods.**

Effective September 17 through September 22, 2023, the following provisions of WAC 220-354-160 regarding commercial gillnet open periods for Puget Sound Salmon Management and Catch Reporting Area 7C shall be as described below. All other provisions of WAC 220-354-160 not addressed herein, or unless otherwise amended by emergency rule, remain in effect:

Area(s)	Date(s)	Open/Closed	Daily open period	Minimum mesh size
7C	7 a.m. 9/17 through 7 a.m. 9/22	Open	24 hrs/day	7"

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